

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 9 – 17 and 22 are currently being cancelled.

Claims 1 and 2 are currently being amended.

No claims are currently being canceled.

This amendment cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7, 18-21 and 23 are now pending in this application.

Request for Entry of After-Final Amendment and Reply:

Applicant respectfully requests entry of this after-final amendment and reply, since: a) it is believed to place this application in condition for allowance, and b) at the very least it lessens the number of potential issues for appeal (by canceling claims).

Claim Rejections – Prior Art:

In the Office Action, claims 1-4, 6, 9-12, 14-18, 20 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0002688A1 to Gregg; and claims 5, 7, 13, 19 and 21-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gregg in view of U.S. Patent No. 6,707,889 to Saylor. These rejections are traversed with respect to the presently pending claims, for at least the reasons given below.

Presently pending independent claims 1 and 2 have been amended to recite that, when the use request is a first use request made by the portable terminal to the gateway for access to information in the contents server, the gateway assigns a password and identification number (ID) to the use request and sends the password and ID as authentication information to the

portable terminal, to be sent by the portable terminal together with all future use requests output by the portable terminal to the gateway for access to information in the contents server,

wherein the time of the first access stored in the access history information storing means corresponds to a time when the contents server was first accessed by the portable terminal, and

wherein the predetermined effective time corresponds to a time period starting at the time of the first access, and ending at a fixed time period after the time of the first access.

In this regard, the present invention is directed to a scheme that allows new users to access information in a contents server, without having to send another user ID and password to the user at a later time after granting the user conditional access to the contents server. See page 21 of the specification, for example.

In this regard, the first use request made by the user terminal is important, and is treated different from all future use requests made by the user terminal. This feature is now more explicitly recited in presently pending claims 1 and 2, in which a predetermined effective time, in which the user terminal is allowed access to information in a contents server, corresponds to a time period that starts at the time of the first access, and that ends at a fixed time period (e.g., two weeks) after the time of the first access.

Gregg merely describes a system that checks active sessions periodically to see if an access key is still present, and if not, a client authenticator polls a user terminal for the user's access key. See paragraph [0098] of Gregg, for example. There is no distinction between a first use request made by a user terminal in a particular session, and later use requests output from the user terminal in that same session. Rather, the time periods in Gregg are polling time periods of the session validator, to determine when to request an access key from active sessions. This has nothing at all to do with storing information corresponding to a predetermined effective time that corresponds to a time period starting at the time of the first access of the contents server, and ending at a fixed time period after the time of the first access.

Paragraph [0100] of Gregg deals with checking whether sessions are currently active or not, which clearly has nothing to do with a first use request output from a user terminal.

Paragraph [0101] of Gregg deals with tracking usage of clients, and the authentication of user passwords. Again, this clearly has nothing to do with a first use request output from a user terminal.

Paragraph [0123] of Gregg details session manager information, which includes session refresh intervals, refresh times, and usage information. This information has nothing to do with information regarding a first use request output from a user terminal.

Accordingly, presently pending independent claims 1 and 2 are believed to patentably distinguish over the teachings of Gregg.

Conclusion:

Therefore, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 6, 2005

By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

Phillip J. Articola
Attorney for Applicant
Registration No. 38,819